

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANTHONY WEBB,

Plaintiff,

v.

CITY AND COUNTY OF SAN
FRANCISCO, et al.,

Defendants.

No. C 10-3274 JSW (PR)

**ORDER GRANTING
EXTENSION OF TIME TO
COMPLETE IN FORMA
PAUPERIS APPLICATION OR
PAY THE FILING FEE**

(Docket Nos. 2 & 4)

Plaintiff, an inmate at the San Francisco County Jail, filed this pro se civil rights action pursuant to 42 U.S.C. § 1983. On July 27, 2010, the Clerk notified Plaintiff that he had neither paid the filing fee nor filed a completed application to proceed in forma pauperis ("IFP"). He was informed that the IFP application he filed was deficient in two specific respects: it did not include a certificate of funds form filled out and signed by a jail official, and it did not include a jail trust account statement showing transactions for the last six months. Along with the deficiency notice, the Clerk mailed to Plaintiff the Court's IFP forms, instructions for completing the forms, and a stamped return envelope. In the notice, Plaintiff was informed that the case would be dismissed if he did not either pay the fee or file a completed IFP application within thirty days. The instructions indicated that in order to complete the IFP forms, Plaintiff would have to return the completed certificate of funds form and the required trust account statement, in accordance with 28 U.S.C. § 1915(a)(2).

On August 2, 2010, Plaintiff filed an IFP application, but the certificate of funds form was not completed and Plaintiff did not include a copy of his trust account

1 statement, as he had been instructed to do. Instead, Plaintiff attached a letter stating that
2 he gave a copy of the IFP application to a jail official for processing. No further IFP
3 documents have been received from Plaintiff; specifically he has not submitted to the
4 completed certificate of funds form and the required trust account statement. Plaintiff
5 has neither paid the filing fee nor filed a completed IFP application within the allotted
6 time. However, it appears that Plaintiff may have attempted to do so by submitting the
7 IFP application to jail officials, and that jail officials failed to send in the required forms.
8 Given this possibility, Plaintiff will be granted an extension of time, to and including
9 **December 30, 2010**, in which either to pay the filing fee or to file the properly
10 completed certificate of funds form and the required trust account statement; his failure
11 to do so will result in the dismissal of this action without prejudice.

12 This order terminates Docket Nos. 2 & 4.

13 IT IS SO ORDERED.

14 DATED: November 29, 2010



15
16 JEFFREY S. WHITE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

ANTHONY L. WEBB,
Plaintiff,

Case Number: CV10-03274 JSW

CERTIFICATE OF SERVICE

v.

S.F. CITY AND COUNTY et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 29, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Anthony Webb
#2441557 #628330
850 Bryant Street
San Francisco, CA 94103

Dated: November 29, 2010



Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk